

RESULTS OF INVESTIGATION: The above-mentioned advertisement was printed at the request of and paid for by Monte L. Jones Drug Co. A copy of the advertisement was in the possession of such company and was stored in the drawer containing the stock of *royal jelly capsules*.

LIBELED: 7-8-58, W. Dist. Okla.

CHARGE: 502(a)—the labeling accompanying the article, while held for sale, namely, the above-mentioned copy of the newspaper advertisement, contained false and misleading representations that the article was an adequate and effective treatment for rejuvenating faulty or worn-out glands, for producing a feeling of youthfulness, producing a general state of well-being, eliminating chronic tiredness, permitting prolonged intellectual work without tiring, giving fast, effective relief to women during critical years, and for ulcers; and 502(f) (1)—the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended, namely, the conditions and purposes mentioned in the above-mentioned newspaper advertisement.

DISPOSITION: 8-11-58. Default—destruction.

5716. First aid kits. (F.D.C. No. 41855. S. No. 31-495 P.)

QUANTITY: 143 *first aid kits* at New York, N.Y.

SHIPPED: On various dates during the two years prior to 2-13-57, from St. Louis, Mo.

RESULTS OF INVESTIGATION: Examination showed that the article was a canvas strip consisting of 3 pouches containing 1 bandage dressing and an iodine applicator, 1 bottle of Frazer's Solution, 6 "Band-Aid" strips, 1 card of safety pins, 1 roll of rubberized material for wrapping sprains, 2 tubes of boric acid, and 3 applicator bottles of tincture of iodine or 2 tubes of petrolatum. The Frazer's Solution showed the quantity of contents to be 71 percent of the amount declared on the label, and the bottles were abnormal because of corrosion and leakage. The kit container failed to declare the contents, the bandage dressing was unlabeled, the roll of rubberized wrapping did not bear directions for use, and the boric acid carton declared the presence of seasickness preventive which was not present.

LIBELED: 7-14-58, S. Dist. N.Y.

CHARGE: 501(c)—the quality of the Frazer's Solution, while held for sale, fell below that which it purported and was represented to possess since the bottles were abnormal because of corrosion and leakage; 502(a)—the label of the Frazer's Solution which declared the quantity of contents to be 1 oz. was false and misleading since the bottles of such article contained less than 1 oz.; 502(a)—the carton label of the boric acid was false and misleading since it declared the presence of seasickness preventive which was not included; 502(b)—the label on the canvas kit container and the bandage dressing did not bear (1) the name and place of business of the manufacturer, packer, or distributor, and (2) a statement of the quantity of contents; 502(e) (2)—the canvas kit container failed to bear a label containing the common or usual name of the active ingredients present in the kit components; and 502(f) (1)—the labeling of the bandage dressing and the roll of rubberized wrapping failed to bear adequate directions for use.

DISPOSITION: 8-6-58. Default—destruction.

5717. Niagara Thermo-Cyclopad Home Unit. (F.D.C. No. 41478. S. No. 15-673 P.)

QUANTITY: 5 devices at Toledo, Ohio.

SHIPPED: Between 11-25-57 and 1-23-58, from Adamsville, Pa.

RESULTS OF INVESTIGATION: The home unit was composed of a kit consisting of a Thermo-Cyclopad with a motor having Cyclo-Massage action, contained in a heating pad of foam rubber which held a heating coil, with a control box; also a hand massage unit with a control box.

LIBELED: 3-21-58, N. Dist. Ohio.

CHARGE: 502(f)(1)—the labeling of the article, while held for sale, failed to bear adequate directions for use in the treatment of polio, polyneuritis, paralytic stroke, paralysis caused by spinal injury, prevention of ulcerated teeth, prevention and treatment of colds and sinus trouble, treatment of muscular dystrophy, multiple sclerosis, crippling arthritis, baldness, stomach ulcers, and influenza, which were the diseases and conditions for which the device was offered in oral advertising at Toledo, Ohio, on February 12, 1958, by Mrs. Ruth Mitchell, a saleswoman for General Home Service, Inc., trading as Niagara of Toledo.

DISPOSITION: 5-26-58. Default—delivered to Food and Drug Administration.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

5718. Vegetable oils. (Inj. No. 312.)

COMPLAINT FOR INJUNCTION FILED: 5-14-57, S. Dist. Calif., against Strathmore Oils & Fats Co., Inc., Strathmore, Calif., Malaga Oil Products Div. of Leghorn Trading Co., Inc., Lindsay, Calif., Georges Valabregue, president and general manager of Strathmore, and James B. Fowler, vice-president and general manager of the Lindsay plant of Malaga. Amended complaint filed 9-7-57.

CHARGE: The original complaint alleged that the defendants were engaged in the business of manufacturing, preparing, and distributing oils for edible and medicinal purposes; and, that the defendants had been and were, at the time of filing the complaint, introducing and causing to be introduced, and delivering and causing to be delivered for introduction into interstate commerce, said oils which were adulterated within the meaning of 501(a)(1) and 501(a)(2).

The complaint alleged also that the oils were adulterated under the provisions of the law applicable to foods, as reported in notices of judgment on foods, No. 24741.

The original complaint alleged that the raw materials involved, namely, olive pomace, sesame seed, walnut oil stock, almond oil stock, and other by-product materials, were purchased from various food processors for use in the manufacture of the oils and were delivered to the Strathmore plant of defendant, Strathmore Oils & Fats Co., Inc.; that, upon receipt, the raw materials were stored under insanitary conditions at the Strathmore plant; that the contaminated raw materials were subsequently dried and put through a solvent extraction process to remove the oils in such raw materials; that the oils so extracted were placed in storage tanks at the Strathmore plant and held there until they were delivered to the Lindsay plant of the Malaga Oil Products Division; and, that upon delivery to the Lindsay plant, the oils were subjected to a refining process after which they were shipped in interstate commerce.